



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

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(603) 271-2457 FAX (603) 271-7894



Fred Calvert
North Conway Athletic Club
PO Box 3026
North Conway, New Hampshire 03860

LETTER OF DEFICIENCY
WMB PBF 02-02
January 22, 2002

Dear Mr. Calvert:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On January 14, 2002, DES inspected the following public bathing facilities at the North Conway Athletic Club, in Conway, NH: the men's locker room spa ("Men's Spa") and the women's locker room spa ("Women's Spa"). During this inspection the following deficiencies were noted:

A recommendation to close the Men's Spa was issued on January 14, 2002. The inspection on January 14, 2002 revealed that the Men's Spa was in violation of Env-Ws 1103.14 and unsafe for public use. The following bacterial violations were observed in the Men's Spa water:

- (a) Pursuant to Env-Ws 1103.14(a)(1) the maximum allowable concentration of total coliform bacteria and *Escherichia coli* in public bathing facility water is zero counts per one hundred milliliters (0CTS/100mL). The Men's Spa water contained 4 CTS/100mL of total coliform bacteria.
- (b) The maximum allowable concentration of non-coliform bacteria in public bathing facility water is two hundred counts per one hundred milliliters (200 CTS/100mL). The Men's Spa water contained greater than 200 CTS/100mL, with confluent growth.
2. Env-Ws 1103.16(e) requires a bromine concentration between 2.0 mg/L and 5.0 mg/L in public spa water, with an absolute maximum of 10 mg/L bromine. The bromine concentration of the Men's Spa water was 0.22 mg/L on January 14, 2002.
3. Env-Ws 1104.01 requires the operator to test public bathing facility water for disinfectant residual, pH, and temperature prior to use of a public bathing facility and every 4 hours during operation, to record test results on a dated daily log sheet, and to maintain operational records for the previous twelve months and make these records available to DES and patrons of the public bathing facility upon request. Test results are not recorded for the Men's Spa or for the Women's Spa.
4. Env-Ws 1105.03(d)(2) requires spa filtration systems to include a flow meter. The filtration system for the Men's Spa did not include a flow meter. The filtration system for the Women's Spa did not include a flow meter.

A report outlining how compliance will be achieved with the cited deficiencies should be submitted to DES within 30 calendar days from receipt of this letter. The report should include the following:

1. A copy of two weeks of water quality test results for all facilities (please do not send originals).
2. The type, manufacture, and model of the flow meter to be installed.
3. A timetable of when the installation of the flow meter will be completed.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. After a violation of Env-Ws 1103.14, the facility will be required to pass two inspection in the following months. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Amy Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,


COPY

Jody Connor
Limnology Center Director

cc: Gretchen C. Rule, Enforcement Coordinator, DES ✓
Russell A. Nylander, P.E., Chief Engineer, WD/DES
Amy Wilson, Public Bathing Facility Coordinator, DES
Kenneth Kiesman, Health Officer, Town of Conway